

SENATE BILL REPORT

SHB 1135

As Reported By Senate Committee On:
Government Operations & Elections, March 22, 2007

Title: An act relating to aquifer conservation zones in qualifying island cities without access to potable water sources outside their jurisdiction.

Brief Description: Allowing certain cities to designate aquifer conservation zones.

Sponsors: House Committee on Local Government (originally sponsored by Representatives Appleton, Rolfes, Lantz, Seaquist and Clibborn).

Brief History: Passed House: 2/23/07, 94-0.

Committee Activity: Government Operations & Elections: 3/20/07, 3/22/07 [DP, w/oRec].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach, Ranking Minority Member; Kline, Pridemore and Swecker.

Minority Report: That it be referred without recommendation.
Signed by Senator Benton.

Staff: Mac Nicholson (786-7445)

Background: The Growth Management Act (GMA) is the comprehensive land use planning framework for county and city governments in Washington. The GMA requires all jurisdictions planning under it to satisfy specific designation and protection mandates, including the designation and protection of critical areas. Critical areas include wetlands, aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas.

Jurisdictions planning under the GMA must also designate urban growth areas (UGAs), within which urban growth must be encouraged. Using population projections made by the Office of Financial Management, planning jurisdictions must include, within their UGAs, land and densities sufficient to permit the urban growth projected to occur in the county or city for the succeeding 20-year period.

Summary of Substitute Bill: Any city coterminous with, and comprised only of, an island that relies solely on groundwater aquifers for its potable water source and does not have

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reasonable access to a potable water source outside its jurisdiction, may designate one or more aquifer conservation zones.

Aquifer conservation zones may not be considered critical areas in their entirety. However, specific areas within the conservation zone may qualify for critical area designation under the GMA.

Cities may consider whether an area is within an aquifer conservation zone when determining the residential density of that area. Residential densities within conservation zones, in combination with other densities of the city, must be sufficient to accommodate projected population growth under the GMA.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The whole island of Bainbridge is a city, and this bill allows the city to move density from the conservation zone to other places in the city. The bill is intended to assist island cities to plan in a sustainable way and protect potable water sources. Cities can factor in whether an area is in an aquifer conservation zone when determining the residential density that is appropriate for that area.

Persons Testifying: PRO: Representative Appleton, prime sponsor; Chris Snow, Libby Hudson, City of Bainbridge Island.